

*M. Douglas Haywoode*  
*71 Maple Street*  
*Brooklyn, NY, 11255*  
*Attorney for Plaintiff John L. Edmonds*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN L. EDMONDS, INDIVIDUALLY  
AND AS A MANAGING GENERAL  
PARTNER OF FIFTH AND 106TH  
STREET HOUSING COMPANY, INC.,  
LOGAN PLAZA ASSOCIATES, LP,  
CHARLES H. ASSOCIATES a/k/a  
CHARLES H. HILL ASSOCIATES, LP  
AND AS A LIMITED PARTNER OF  
CHURCH HOME ASSOCIATES, LP,

Index No.: 08 CIV 5646

Plaintiff,

-against-

**NOTICE OF  
CROSS MOTION**

ROBERT W SEAVEY, INDIVIDUALLY  
AND AS A GENERAL PARTNER OF  
FIFTH AND 106TH STREET  
ASSOCIATES, LP, LOGAN PLAZA  
ASSOCIATES, LP, CHARLES HILL  
ASSOCIATES, CHARLES HILL  
ASSOCIATES, LP AND AS A LIMITED  
PARTNER OF CHURCH HOME  
ASSOCIATES, LP; PHYLLIS M.  
SEAVEY INDIVIDUALLY AND AS  
OWNER, MANAGER AND MEMBER  
OF DALTON MANAGMETNT  
COMPANY LLC; AVERY B. SEAVEY,  
INDIVIDUALLY AND AS A GENERAL  
PARTNER OF LOGAN PLAZA  
ASSOCIATES, LP, CHURCH HOME  
ASSOCIATES AND OWNER OF  
DALTON MANAGEMENT COMIPANY,  
LLC; NEALE B. SEAVEY,  
INDIVIDULLY AND AS OWNER,  
MANAGER AND MEMBER OF  
DALTON MANAGEMENT COMPANY,  
LLC; AND RONALD DAWLEY AS  
CHIEF EXECUTIVE OFFICER OF  
DALTON MANAGEMENT COMPANY,  
LLC; DALTON MANAGEMENT  
COMPANY, LLC, THE SEAVEY  
ORGANIZATION, and MARK PANETH  
& SHRON, Auditors,

Defendants.

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PLEASE TAKE NOTICE that based on the Declaration of M. Douglas and the exhibits annexed thereto, plaintiff John L. Edmonds shall move the Court, at a date and time to be determined by the Court, before the Honorable Magistrate Judge James C. Francis, at the United State Courthouse, Courtroom 18D, 500 Pearl Street, New York, New York, for an Order, pursuant to Fed. R. Civ. P. 30(g), entering appropriate sanctions against defendants Rober W. Seavey, Phillis M. Seavey, Avery B. Seavey, Nealle B. Seavey, Ronald Dawley, Dalton Management Company, LLC, and the Seavey Organization (collectively, “the Seavey Defendants”) and their Attorneys obstruction of the discovery process, consisting of refusal to provide papers designated by plaintiff pursuant to discovery and the partnership law.

Dated: Brooklyn, New York  
April 21<sup>st</sup>, 2009

Yours, etc.,  
M. DOUGLAS HAYWOODE, ESQ.

S/ M. Douglas Haywoode  
*Attorney for Plaintiff*  
71 Maple Street  
Brooklyn, NY 11225  
(718) 940-8800

To: Wilson Elser Moskowitz Edelman & Dicker, LLP  
3 Gannett Drive  
White Plains, NY 10604-3407  
Attn: William J. Kelly, Esq.  
(914) 323-7000

Herrick, Feinstein LLP  
2 Park Avenue  
New York, NY 10016  
Attn: Scott E. Mollen, Esq.  
(212) 592-1505